

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

X

In re:

Case No.: 15-71331-ast

DANA SMITH

AFFIRMATION OF SERVICES

Debtor

X

Gary C. Fischoff, an attorney duly admitted to practice before this Court, affirms, under penalty of perjury as follows:

1. This Affirmation is submitted in accordance with Court's order dated May 27, 2015, requiring Berger, Fischoff & Shumer, LLP to submit a statement of fees incurred in connection with the above referenced case.
2. Berger, Fischoff & Shumer, LLP was retained on March 30, 2015 by Dana Smith to prepare and file a Chapter 13 petition on her behalf. On that day at about 4:00 p.m., she retained the firm with a bank check in the amount of \$8,406.00.
3. She requested that the petition be filed immediately on October 31, 2015 because she was concerned that Suffolk County was going to take a tax deed the following day for the Huntington Bay property because of unpaid real estate taxes. We prepared the petition that afternoon, assisted her with the initial pre-filing credit counseling and filed the petition early that evening.
4. The following is a breakdown of the time spent on her matter:

03/30/15	GCF	meeting with client, review documents discussed obligation of chapter 13 debtor	.8
03/30/15	DMT	prepare petition and schedule as much as possible, obtain information from debtor, assist with counseling	2.8
03/31/15	DMT	prepare and fax notice to Suffolk County Trustee re: stay	.1
03/31/15	GCF	Telephone conversation with Millie at	.2

		Suffolk County Trustee office about effect of filing	
03/31/15	GCF	Prepare fax of Trust agreement to Millie at Suffolk County Trustee Office	.1
03/31/15	GCF	Numerous telephone conversation with Dana Smith about missing information amendments and effect of stay	.4
04/2/15	GCF	Meeting with Debtor re: missing information	.6
04/05/15	DMT	Draft missing schedule, Telephone conversation with Dana Smith	.8
04/6/15	GCF	Telephone conversation with Dana Smith about Surrogates Court	.2
4/7/15	GCF	Telephone conversation with Dana Smith about Surrogates Court	.2
4/8/15	GCF	Telephone conversations with Dana Smith Surrogates Court	.2
04/6/15	DMT	Draft missing schedule with new information, telephone conversation with Debtor	1.1
04/8/15	DMT	Prepare and file additional petition document, emails and numerous telephone conversations with Debtor	4.8
4/8/15	GCF	Telephone conversation with attorney for sisters in surrogate agreement	.2
4/9/15	DMT	Draft application and order to extend deadline to file missing schedules	.8
4/9/15	GCF	Review and revise draft application and order to extend deadline	.3
4/14/15	DMT	Draft and send letter to debtor re: 341 meeting	.2
4/15/15	GCF	Telephone conversation with Dana Smith about the Surrogates Court proceeding	.2
4/16/15	GCF	Meeting with Debtor re: missing information and request to be relieved as attorney	.3
4/17/15	GCF	Telephone conversation with Michael Macco, attorney for sister re: status	.2

4/20/15	BPS	Draft motion and finalize motion to be released as attorney	.9
4/21/15	GCF	Review filing by Debtor re: motion to be relieved	.2
4/30/15	GCF	Review motion for relief from stay	.4
5/1/15	GCF	Review filing by Dana Smith	.1
5/21/15	GCF	Court appearance on motion to be relieved	2.5
5/26/15	GCF	Calls to Dana Smith re: upcoming deadline	.2
5/31/15	GCF	Draft affidavit of service	.9
Total Hours			18.90

Attorney	Rate	Total Hours Per Atty	Total Fees
GCF	\$525	8.20	\$4305.00
BPS	\$300	.9	\$270.00
DMT	\$185	10.60	\$1961.00

Total fees \$6,536.00

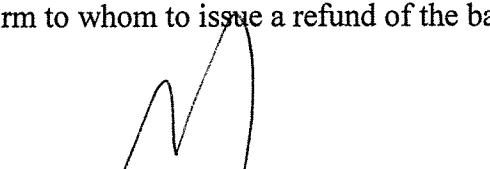
Filing fee \$ 310.00

First credit counseling \$ 50.00

Total Earned \$6,896.00

5. I have reviewed the letter filed by the Debtor where she raises an issue about a conflict. I cannot adequately respond to it, except to deny it, because I have no idea what she is talking about.

6. Based on the foregoing, it is requested this Court award a final fee allowance of \$6,896.00 and issue an order directing the Firm to whom to issue a refund of the balance.



Gary C. Fischhoff, Esq.